

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
AUG 07 2024	
CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	
BY: _____	DEPUTY

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARK WAYNE LEWIS,

Defendant.

2:24-CR-041-RFB-NJK

Preliminary Order of Forfeiture

This Court finds Mark Wayne Lewis pled guilty to Count One of a One-Count Criminal Indictment charging him with prohibited person in possession of a firearm in violation of 18 U.S.C. § 922(g)(1). Criminal Indictment, ECF No. 1; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds Mark Wayne Lewis agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment. Criminal Indictment, ECF No. 1; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds, under Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment and the offense to which Mark Wayne Lewis pled guilty.

The following property is any firearm or ammunition involved in or used in any knowing violation of 18 U.S.C. § 922(g)(1) and is subject to forfeiture under 18 U.S.C. § 924(d)(1) with 28 U.S.C. § 2461(c):

1. a Haskell Manufacturing / Hi-Point model JHP-45 .45 ACP semi-automatic pistol bearing serial number 5000799; and
 2. any and all compatible magazines and ammunition
- (all of which constitutes property).

1 This Court finds that on the government's motion, the Court may at any time enter
2 an order of forfeiture or amend an existing order of forfeiture to include subsequently
3 located property or substitute property under Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

4 This Court finds the United States of America is now entitled to, and should, reduce
5 the aforementioned property to the possession of the United States of America.

6 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
7 DECREED that the United States of America should seize the aforementioned property.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
9 rights, ownership rights, and all rights, titles, and interests of Mark Wayne Lewis in the
10 aforementioned property are forfeited and are vested in the United States of America and
11 shall be safely held by the United States of America until further order of the Court.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
13 of America shall publish for at least thirty (30) consecutive days on the official internet
14 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
15 describe the forfeited property, state the times under the applicable statute when a petition
16 contesting the forfeiture must be filed, and state the name and contact information for the
17 government attorney to be served with the petition, under Fed. R. Crim. P. 32.2(b)(6).
18 Notice is served on any individual or entity on the date when it is placed in the mail,
19 delivered to a commercial carrier, or sent by electronic mail under Fed. R. Crim. P.
20 32.2(b)(6)(D) and Supplemental Rule G(4)(b)(iii)-(v).

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
22 or entity who claims an interest in the forfeited property must file a petition for a hearing to
23 adjudicate the validity of the petitioner's alleged interest in the property under 21 U.S.C.
24 § 853(n)(2), which petition shall be signed by the petitioner under penalty of perjury under
25 21 U.S.C. § 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the
26 petitioner's right, title, or interest in the property, the time and circumstances of the
27 petitioner's acquisition of the right, title or interest in the property, any additional facts
28 supporting the petitioner's claim, and the relief sought.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
2 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,
3 Nevada 89101, within thirty (30) days of the final publication of notice on the official
4 internet government forfeiture site, www.forfeiture.gov, or his receipt of written notice,
5 whichever is earlier.

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
7 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
8 Attorney's Office at the following address at the time of filing:

9 Daniel D. Hollingsworth
10 Assistant United States Attorney
11 Misty L. Dante
12 Assistant United States Attorney
13 501 Las Vegas Boulevard South, Suite 1100
14 Las Vegas, Nevada 89101.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
14 described herein need not be published in the event a Declaration of Forfeiture is issued by
15 the appropriate agency following publication of notice of seizure and intent to
16 administratively forfeit the above-described property.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
18 copies of this Order to all counsel of record.

19 DATED Aug 7, 2024.



22 RICHARD F. BOULWARE, II
23 UNITED STATES DISTRICT JUDGE
24
25
26
27
28